



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/507,882	02/22/2000	Richard H. Guski	PO9-99-151	4051

23413 7590 09/25/2003

CANTOR COLBURN, LLP
55 GRIFFIN ROAD SOUTH
BLOOMFIELD, CT 06002

EXAMINER

HENEGHAN, MATTHEW E

ART UNIT	PAPER NUMBER
----------	--------------

2134

DATE MAILED: 09/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/507,882

Applicant(s)

GUSKI ET AL.

Examiner

Matthew Heneghan

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 February 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 February 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-24 have been examined.

Drawings

2. The drawings are objected to because they are not in compliance with the requirements of 37 CFR 1.84 (g), (l), (m), and (q). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 1-16 are rejected under 35 U.S.C. 101 because the claimed inventions are directed to non-statutory subject matter. The claim inventions are programs per se.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 7, 8, 23, and 24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claims 7 and 23, since it is not specified as to whether or not the X.500 distinguished name is actually used as the environmental factor, it is unclear whether this limitation is part of the claimed method. See MPEP § 2173.05(d).

As per claims 8 and 24, since it is not specified as to whether or not the system status is actually used as the environmental factor, it is unclear whether this limitation is part of the claimed method. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1-7 and 17-23 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,678,045 to Bettels.

As per claims 1 and 17, *Bettels* discloses a directory information tree containing multiple entries, with entries being determined by their Distinguishing Name (see column 3, line 62 to column 4, line 13). An algorithm is disclosed that replaces the mapping record with the Distinguishing Name, modified for environmental factors, such as language considerations (see column 4, line 43 to column 5, line 28). *Bettels* also discloses that the first search criteria can then be used with the new record (see column 5, lines 29-38).

As per claims 2, 6, 18, and 22, an example given by *Bettels* teaches to an entry pertaining to an individual user. Any mapping record, therefore, may contain user information (see column 4, lines 13-42).

As per claims 3, 4, 19, and 20, *Bettels* discloses that this algorithm should be used repeatedly for every entry. *Bettels* shows at least four entries in an example in Figure 2, so second and third iterations would occur (see column 6, lines 27-28).

As per claims 5, 7, 21, and 23, the Distinguished Name is part of the X.500 protocol, which *Bettels* explicitly states to be supported (see column 2, lines 66-67).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 8 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,678,045 to Bettels as applied to claims 1 and 17, respectively, above, and further in view of U.S. Patent No. 5,896,440 to Reed et al.

The system disclosed by *Bettels* does not disclose the using of distinguished names for system status.

Reed discloses a communications link that allows the use of a distinguished name for status items, such as trouble reports (see column 17, lines 34-64), and suggests that this system can be used to eliminate the need for a trouble report to be phoned from one company to another and manually copied (see column 3, lines 34-36).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system disclosed by *Bettels* to allow for the support of trouble reports in distinguished names, as disclosed by *Reed*, in order to

eliminate the need for a trouble report to be phoned from one company to another and manually copied.

7. Claims 9-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,678,045 to Bettels as applied to claims 1-7 and further in view of U.S. Patent No. 5,774,552 to Grimmer.

Bettels discloses a system for mapping distinguished names, as above, but does not apply this invention to digital certificates with distinguished names.

As per claim 9, *Grimmer* discloses a method and system for retrieving digital certificates, including distinguished names, from an X.500 database (see column 4, lines 18-21), and suggests that certificate authentication requires global access to a centralized, secure repository (see column 1, lines 41-43).

As per claim 13, *Grimmer* discloses the use of multiple security levels by issuing additional certificates of a higher level. *Grimmer* suggests that this gives the most secure use of authentication (see column 5, line 66 to column 6, line 6).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system disclosed by *Bettels* to support digital certificates, including certificates of graduating levels, containing distinguished names, as disclosed by *Grimmer*, in order to have global access to a centralized, secure repository with the most secure use of authentication.

8. Claims 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,678,045 to Bettels in view of U.S. Patent No. 5,896,440 to Reed et al. as applied to claim 8 and further in view of U.S. Patent No. 5,774,552 to Grimmer.

Bettels and *Reed* disclose a system for mapping distinguished names with support for status reports, as above, but do not apply this invention to digital certificates with distinguished names.

As per claim 9, *Grimmer* discloses a method and system for retrieving digital certificates, including distinguished names, from an X.500 database (see column 4, lines 18-21), and suggests that certificate authentication requires global access to a centralized, secure repository (see column 1, lines 41-43).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system disclosed by *Bettels* and *Reed* to support digital certificates, containing distinguished names, as disclosed by *Grimmer*, in order to have global access to a centralized, secure repository.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 5,491,817 to Gopal et al. discloses a linking system for accessing directory information, using distinguished names.

U.S. Patent No. 5,745,574 to Muftic et al. discloses an authentication and certification system using distinguished names.

U.S. Patent No. 6,192,362 to Schneck et al. discloses a method for searching an X.500 directory using distinguished names.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew E. Heneghan whose telephone number is (703) 305-7727. The examiner can normally be reached on Monday-Thursday from 8:00 AM - 4:00 PM Eastern Time. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse, can be reached on (703) 308-4789.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, DC 20231

Or faxed to:


(703) 746-7239 (for formal communications intended for entry)

Or:

(703) 746-7240 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park 2, 2121 Crystal Drive, Arlington, VA 22202, Fourth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.


GREGORY MORSE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Application/Control Number: 09/507,882
Art Unit: 2134

Page 9

MEH

September 11, 2003